

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 457 – SB 1472

March 24, 2021

SUMMARY OF BILL: Authorizes a defendant for whom bail has been set to pay the bail bond with a credit card, debit card, or internet or mobile cash application.

ESTIMATED FISCAL IMPACT:

Decrease Local Expenditures - \$1,905,300/FY21-22 and Subsequent Years

Assumptions:

- Pursuant to Tenn. Code Ann. § 40-11-118(a), any defendant for whom bail has been set may execute the bail bond and deposit with the clerk of the court before which the proceeding is pending a sum of money in cash equal to the amount of the bail.
- Some decrease in local incarceration expenditures resulting from releasing individuals from local jail prior to a court hearing will be offset by an increase in local incarceration expenditures resulting from longer local incarceration sentences without the use of time served credits, additional processing efforts to release individuals, and law enforcement efforts resulting from released individuals reoffending.
- Based on the 2020 Fiscal Review Committee survey, the weighted average cost to local governments to house an inmate in a local jail facility is \$73 per day.
- According to the 2019 Knox County *Jail Population & Justice System Analysis*, the three-year average for pretrial time in jail custody is 11.7 days.
- For the purposes of this analysis, it is assumed that an additional 3,000 defendants will be released on bond, under the provisions of this legislation, 8.7 days earlier and not be convicted.
- The recurring decrease in local expenditures will be \$1,905,300 (\$73 x 8.7 x 3,000), beginning in FY21-22.
- Passage of this legislation is not expected to substantially impact the total number of defendants who do not make their appearance in court following the execution of bail; therefore, it will not significantly impact state or local revenue.
- Any increase in workload to sheriffs, magistrates or other officers having authority to admit to bail can be accommodated with existing personnel.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The script is cursive and fluid.

Krista Lee Carsner, Executive Director

/jg